

Remarks

Claims 1-25 are now pending in this application. Claims 1-25 are rejected. Claims 1, 9, 10, 14, and 22 have been amended. No new matter has been added.

In accordance with 37 C.F.R. 1.136(a), a three-month extension of time is submitted herewith to extend the due date of the response to the Office Action dated June 20, 2003 for the above-identified patent application from September 20, 2003 through and including December 22, 2003. In accordance with 37 C.F.R. 1.17(a)(3), authorization to charge a deposit account in the amount of \$950.00 to cover this extension of time request also is submitted herewith.

The objection to the drawings is respectfully traversed. Applicant has amended the drawings. Applicant respectfully requests that the objection to the drawings be withdrawn.

The rejection of Claims 1-10, 14-18, and 21-25 under 35 U.S.C. § 102(b) as being unpatentable over Yalla et al. (U.S. Patent 5,224,011), referred to as Yalla et al. '011, is respectfully traversed.

Yalla et al. '011 describe a power supply board (18), which contains a switch mode power supply (62) (column 10, lines 23-25). This standard circuitry supplies the required power to run microprocessors, LEDs and LCD screen, and to drive output relay coils (column 10, lines 25-28). This type of power supply is more efficient, smaller and generates less heat than linear designs using power transformers (column 10, lines 28-30).

Claim 1 recites a method to monitor voltage and current signals using a multi-function generator protective relay system, the method including the steps of "measuring at least one of a voltage, a current and a phase angle; displaying at least one of a relay contact status and the power values on a display; and maintaining the multi-function generator protective relay system in an energized state when a generator operationally coupled to the multi-function generator protective relay system is being energized."

Yalla et al. '011 do not describe or suggest a method to monitor voltage and current signals using a multi-function generator protective relay system, the method including the steps of measuring at least one of a voltage, a current and a phase angle, displaying at least one of a relay contact status and the power values on a display, and maintaining the multi-function generator protective relay system in an energized state when a generator operationally coupled to the multi-function generator protective relay system is being energized.

Specifically, Yalla et al. '011 do not describe or suggest maintaining the multi-function generator protective relay system in an energized state when a generator operationally coupled to the multi-function generator protective relay system is being energized. Rather, Yalla et al. '011 describe supplying the required power to run microprocessors, LEDs and LCD screen, and to drive output relay coils. Accordingly, Yalla et al. '011 do not teach the maintaining as recited in Claim 1. For the reasons set forth above, Claim 1 is submitted to be patentable over Yalla et al. '011.

Claims 2-9 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2-9 are considered in combination with the recitations of Claim 1, Applicant submits that dependent Claims 2-9 likewise are patentable over Yalla et al. '011.

Claim 10 recites a metering system including “a plurality of electrical relays, a display, a microprocessor, a memory, and a plurality of printed circuit boards configured to accept voltage and current to be measured, and an auxiliary power supply configured to maintain said system in an energized state when a generator operationally coupled to said system is being energized, said microprocessor electrically connected to the memory, the printed circuit boards, and the display, said printed circuit boards electrically connected to a device, said system configured to continuously monitor voltage, current and frequency to protect the device.”

Yalla et al. '011 do not describe or suggest a metering system including a plurality of electrical relays, a display, a microprocessor, a memory, and a plurality of printed circuit boards configured to accept voltage and current to be measured, and an auxiliary power

supply configured to maintain the system in an energized state when a generator operationally coupled to the system is being energized, the microprocessor electrically connected to the memory, the printed circuit boards, and the display, the printed circuit boards electrically connected to a device, the system configured to continuously monitor voltage, current and frequency to protect the device.

Specifically, Yalla et al. '011 do not describe or suggest an auxiliary power supply configured to maintain the system in an energized state when a generator operationally coupled to the system is being energized. Rather, Yalla et al. '011 describe the standard circuitry that supplies the required power to run microprocessors, LEDs and LCD screen, and to drive output relay coils. Accordingly, Yalla et al. '011 do not teach an auxiliary power supply as recited in Claim 10. For the reasons set forth above, Claim 10 is submitted to be patentable over Yalla et al. '011

Claims 14-18 and 21-25 depend, directly or indirectly, from independent Claim 10. When the recitations of Claims 14-18 and 21-25 are considered in combination with the recitations of Claim 10, Applicant submits that dependent Claims 14-18 and 21-25 likewise are patentable over Yalla et al. '011.

For at least the reasons set forth above, Applicant respectfully requests that the rejection of Claims 1-10, 14-18, and 21-25 under 35 U.S.C. 102(b) be withdrawn.

The rejection of Claims 11-13 and 19-20 under 35 U.S.C. § 103(a) as being unpatentable over Yalla et al. '011 in view of "A Digital Multifunction Protective Relay", IEEE. 1992, referred to as Yalla, and further in view of "Application of Multifunction Generator Protector Systems", IEEE, 1998, referred to as Yalla et al. is respectfully traversed.

Yalla et al. '011 is described above. Yalla describes a switching mode power supply that provides a relay with various power supply voltages required for operation (page 197).

Yalla et al. describe a generator-transformer configuration with two multifunction generator protection systems (MPGSSs), applied with redundant protective functions (pages

1285 and 1289). Each of the two MGPSs has its own separate dc-to-dc power supplies and tripping circuits (page 1289).

Claims 11-13 and 19-20 depend, directly or indirectly, on Claim 10 which recites a metering system including “a plurality of electrical relays, a display, a microprocessor, a memory, and a plurality of printed circuit boards configured to accept voltage and current to be measured, and an auxiliary power supply configured to maintain said system in an energized state when a generator operationally coupled to said system is being energized, said microprocessor electrically connected to the memory, the printed circuit boards, and the display, said printed circuit boards electrically connected to a device, said system configured to continuously monitor voltage, current and frequency to protect the device.”

None of Yalla et al. ‘011, Yalla, or Yalla et al., considered alone or in combination, describe or suggest a metering system including a plurality of electrical relays, a display, a microprocessor, a memory, and a plurality of printed circuit boards configured to accept voltage and current to be measured, and an auxiliary power supply configured to maintain the system in an energized state when a generator operationally coupled to the system is being energized, the microprocessor electrically connected to the memory, the printed circuit boards, and the display, the printed circuit boards electrically connected to a device, the system configured to continuously monitor voltage, current and frequency to protect the device.

Specifically, none of Yalla et al. ‘011, Yalla, or Yalla et al., considered alone or in combination, describe or suggest an auxiliary power supply configured to maintain the system in an energized state when a generator operationally coupled to the system is being energized. Rather, Yalla et al. describe the standard circuitry that supplies the required power to run microprocessors, LEDs and LCD screen, and to drive output relay coils, Yalla describes the switching mode power supply that provides the relay with various power supply voltages required for operation, and Yalla et al. describe separate dc-to-dc power supplies for each of the two MGPSs. Accordingly, the combination of Yalla et al. ‘011, Yalla, and Yalla et al. does not teach an auxiliary power supply as recited in Claim 10. For the reasons set

forth above, Claim 10 is submitted to be patentable over Yalla et al. '011 in view of Yalla, and further in view of Yalla et al.

When the recitations of Claims 11-13 and 19-20 are considered in combination with the recitations of Claim 10, Applicant submits that dependent Claims 11-13 and 19-20 likewise are patentable over Yalla et al. '011 in view of Yalla, and further in view of Yalla et al.

Moreover, Applicant respectfully submits that the Section 103 rejection of Claims 11-13 and 19-20 is not a proper rejection. As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. None of Yalla et al. '011, Yalla, or Yalla et al., considered alone or in combination, describe or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicant respectfully submits that it would not be obvious to one skilled in the art to combine Yalla et al. '011 with Yalla and Yalla et al. because there is no motivation to combine the references suggested in the art.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicant's disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicant's disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion or motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

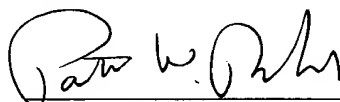
Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a

given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection is based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically, Yalla et al. describe the standard circuitry that supplies the required power to run microprocessors, LEDs and LCD screen, and to drive output relay coils, Yalla describes the switching mode power supply that provides the relay with various power supply voltages required for operation, and Yalla et al. describe separate dc-to-dc power supplies for each of the two MGPSs. Since there is no teaching nor suggestion in the cited art for the combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicant requests that the Section 103 rejection of Claims 11-13 and 19-20 be withdrawn.

For at least the reasons set forth above, Applicant respectfully requests that the rejection of Claims 11-13 and 19-20 under 35 U.S.C. 103(a) be withdrawn.

In view of the foregoing amendment and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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